



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
WWW.USPTO.GOV

Paper No. None

DORSEY & WHITNEY LLP
555 CALIFORNIA STREET, SUITE 1000
SUITE 1000
SAN FRANCISCO CA 94104

COPY MAILED

DEC 04 2006

OFFICE OF PETITIONS

In re Application of	:	
Marc R. Hammerman et al.	:	
Application No. 09/472,662	:	DECISION ON SECOND RENEWED
Filed: December 27, 1999	:	PETITION UNDER 37 C.F.R.
Attorney Docket Number: A-	:	§1.181(A)
68752-1/RF	:	
Title: COMPOSITION AND METHOD	:	
FOR IMPROVING FUNCTION OF	:	
EMBRYONIC KIDNEY TRANSPLANTS	:	

This is a decision on the second renewed petition under 37 C.F.R. §1.181(a) to withdraw the holding of abandonment, filed on November 21, 2006.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed June 5, 2001, which set a shortened statutory period for reply of three months. A response was received on October 9, 2001, bearing a certificate of mailing dated October 4, 2001, and filed in conjunction with a one-month extension of time. The fourth page of the response was not included with the submission, and consequently, a notice was sent on January 2, 2002, which set a one-month period for response. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on February 3, 2002. A notice of abandonment was mailed on December 16, 2005.

The original petition was filed on March 27, 2006 and was dismissed via the mailing of a decision on July 24, 2006. The renewed petition was filed on September 25, 2006 and was dismissed via the mailing of a decision on November 2, 2006.

With this renewed petition, the previous deficiencies have been rectified.

Accordingly, the petition under 37 C.F.R. §1.181(a) is GRANTED. The holding of abandonment is WITHDRAWN.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the response which was received with the renewed petition on September 25, 2006 can be processed.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225¹. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanoski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

¹ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).